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Pardon application fee to quadruple later this month despite complaints

By: Jim Bronskill and Bruce Cheadle, The Canadian Press

OTTAWA - It's official: The cost of applying for a criminal pardon will quadruple.

The pardon application fee will jump to \$631 — up from \$150 — on Feb. 23 despite a prolonged outcry against the move from many in the justice community.

The federal government says recent changes that made it harder to get a pardon have also made the process of screening applications more work-intensive and costly.

“Currently, taxpayers bear the brunt of the cost for criminals requesting pardons,” said Public Safety Minister Vic Toews. “This is unacceptable. Pardons are not a right.”

Only those who have fully served their sentences, and remained crime-free for years, are eligible for a pardon, or record suspension as they will soon be called.

For many years, vetting a pardon application was largely a matter of checking paperwork. But a law passed in 2010 increased the screening measures and, in some cases, lengthened the wait times for pardon applicants.

The law requires the Parole Board of Canada to assess the behaviour of applicants from the time of their conviction to ensure granting a pardon would not “bring the administration of justice into disrepute.”

It means fewer people are expected to apply, and more will be screened out early on.

The changes came in reaction to revelations by The Canadian Press that former coach and convicted sex offender Graham James had been quietly pardoned for sex convictions involving three young hockey players dating from 1971.

The parole board says that without a fee increase, demand will continue to outstrip its ability to provide timely pardon services.

A pardon doesn't erase a person's criminal record, but can make it easier to get a job, travel and return to society. Critics say the fee hike will only make it harder for ex-convicts trying to turn their lives around.

A public consultation process under the User Fees Act last spring turned up many objections to the planned increase, including surprisingly negative responses from federal organizations such as the RCMP, Justice Department and Public Safety Canada — Toews' own department.

Some victims have applauded the increase, saying there should be no public subsidies for those who break the law.

Groups that try to help former inmates make it on the outside say the fee hike will create a large barrier for people who need a fresh start.

“I think it will take the pardon out of reach of a number of people permanently,” said John Hutton, executive director of the John Howard Society of Manitoba.

“This isn't a deterrent. This is kicking somebody that's already down,” Hutton said.

“There are many benefits for the society as a whole when somebody's able to get a pardon and to move forward.”

The steep fee increase is “a blatant attack on Canadians from all walks of life,” said Azmairin Jadavji, president of Pardon Services Canada, a business that helps people submit applications.

“It adds a significant barrier for low and middle-income Canadians trying to remove their records in order to move on with their lives,” Jadavji said in an email.

He noted the majority of his clients are low-risk offenders seeking better job opportunities from a pardon, and cited a government study that indicated the fee increase will reduce the number of pardon applicants by 40 per cent.

“We believe that this is against Canadian values of giving people a second chance,” said Jadavji.

Hutton said the increase is consistent with the federal approach to dealing with anyone who runs afoul of the law.

“If there is a way they can make it difficult for someone to make some positive changes in their life, they'll find it,” he said.

“We shouldn't be in the business of taking away hope.”

